

## **The Honorable Benjamin H. Settle**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
Plaintiff,  
v.  
DIMARE TEE PRINCESTIN,  
Defendant/Judgment De  
and  
ILWU/PMA BENEFIT PLANS,  
Garnishee.

NO. 3:16-MC-05008-BHS  
(3:09-CR-05455-JRC-1)

## **Continuing Garnishee Order**

A Writ of Continuing Garnishment, directed to Garnishee, ILWU/PMA  
Benefit Plans, has been duly issued and served upon the Garnishee.

Pursuant to the Writ, Garnishee filed an Answer on April 8, 2016, stating that at the time of the service of the Writ, Garnishee had in its possession, custody or control a ILWU-PMA Defined Benefit Pension Plan, in which Mr. Dimare is 100% vested, but cannot receive payments until April 1, 2019, the beginning of the first month after his 65th birthday. Doc. no. 7 at 2. At that time, or

1 upon retirement if later, he will be entitled to receive pension benefits valued  
2 at \$1,511.17 a month. *Id.*

3 After notification of the garnishment proceeding was mailed to the  
4 parties on or about March 30, 2016, the Defendant/Judgment Debtor has not  
5 requested a hearing to determine exempt property as of this date.

6 IT IS THEREFORE ORDERED as follows:

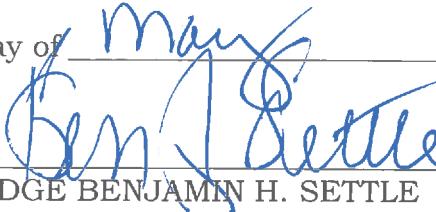
7 That the Garnishee, ILWU/PMA Benefit Plans, shall pay to the United  
8 States District Court for the Western District of Washington, all non-exempt  
9 property within the Garnishee's possession, custody, or control, in which the  
10 Defendant maintains an interest and meets the requirements to withdraw, to  
11 be applied towards the Defendant/Judgment Debtor's criminal restitution  
12 judgment. Such amounts will include the non-exempt portion of Mr.  
13 Prinestin's monthly ILWU-PMA Defined Benefit Pension when he becomes  
14 eligible to receive his pension;

15 That such payments shall be applied to Defendant/Judgment Debtor  
16 Prinestin's outstanding obligation, by the United States District Court for the  
17 Western District of Washington; and

18 That the payments shall be made out to the United States District  
19 Court, Western District of Washington, referencing Case Nos. CR09-05455-  
20 JRC-1 and 3:16-MC-05008-BHS, and to deliver such payments either  
21 personally or by First Class Mail to:

22 United States District Court, Western District of Washington  
23 Attn: Financial Clerk – Lobby Level  
24 700 Stewart Street  
25 Seattle, Washington 98101

1 DATED this 1 day of May, 2016.

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5  
  
JUDGE BENJAMIN H. SETTLE  
United States District Court Judge

6 Presented by:

7 s/ Kyle A. Forsyth  
8 KYLE A. FORSYTH, WSBA #34609  
Assistant United States Attorney